

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

v.)

Criminal No. 04-10135-GAO

THOMAS SCOLA,
Defendant)

NOTICE OF APPEAL

Notice is hereby given that the United States of America (the prosecution in the above-captioned case) hereby appeals to the United States Court of Appeals for the First Circuit from the sentence imposed by the district court (O'Toole, J) on the defendant Thomas Scola on November 15, 2006, and from the resulting Judgment in a Criminal Case (entered on the docket on November 22, 2006).

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ David G. Tobin
DAVID G. TOBIN
Assistant U.S. Attorney

Certificate of Service

I hereby certify that on December 15, 2006, this Notice of Appeal filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/David G. Tobin
DAVID G. TOBIN
Assistant U.S. Attorney